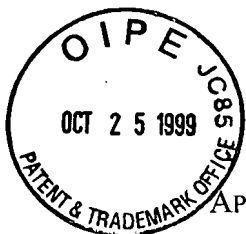


GP 1681 \$

Attorney Docket No: 17810-049 (CTI-49 DIV 1)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANTS: Carpenter

ASSIGNEE: CYTOTHERAPEUTICS, INC.

SERIAL NUMBER: 09/178,035

EXAMINER: Christopher R. Tate
TECH CENTER 1600/2900

FILING DATE: October 23, 1998

ART UNIT: 1651

FOR: CULTURES OF HUMAN CNS NEURAL STEM CELLS

Box IDS

Assistant Commissioner for Patents
Washington, D.C. 20231

October 25, 1999
Boston, Massachusetts

TRANSMITTAL LETTER

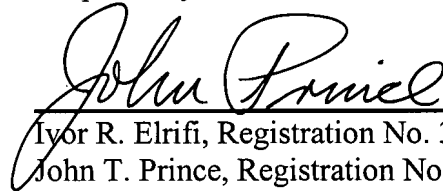
Transmitted herewith for filing in the above-referenced patent application are the following documents:

- ☒ Supplemental Information Disclosure Statement [3 pp.];
- ☒ Supplemental Modified Form 1449/PTO, in duplicate [1 pp.];
- ☒ Copies of cited U.S. Patents [A1-A3];
- ☒ Check #4697 in the amount of \$240.00 as required by 37 C.F.R. §1.97; and
- ☒ Return Postcard

Although Applicants believe that no additional fees are due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311 (Reference No. 17810-049; CTI-49 DIV 1). A duplicate copy of this transmittal letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Respectfully submitted,



Ivor R. Elrifi, Registration No. 39,529
John T. Prince, Registration No. 43,019
Attorneys for the Applicant
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Supplemental Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

U.S. Patent Documents:

Serial Number	Issue Date	Applicant	Filing Date
5,881,832	12/22/98	Weiss, <i>et al.</i>	06/7/95
5,766,948	06/16/98	Gage, <i>et al.</i>	11/3/93
5,639,618	06/17/97	Gay	05/13/94

This Supplemental Information Disclosure Statement is being filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

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- ☒ The fee of \$240 as set forth in 37 C.F.R. §1.17(p) is enclosed.
- ☐ The Applicant hereby certifies, as specified in 37 C.F.R. §1.97(e), that:
(Check a or b below)
- ☐ a. Each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.
- ☐ b. No item of Information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart for this application or, to the knowledge of the under signed after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

Accordingly, no fee or certification is required. 37 C.F.R. §1.97.

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached Supplemental Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed Supplemental Form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311; Reference No. 17810-049 (CTI-49 DIV 1).

Respectfully submitted,



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Dated: October 25, 1999

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